

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

ERNEST SMITH,	)	
	)	
Plaintiff,	)	Civil Case No. 07-1362-ST
	)	
vs.	)	JUDGMENT
	)	
MICHAEL J. ASTRUE,	)	
Commissioner, Social Security	)	
Administration,	)	
	)	
Defendant.	)	
_____	)	

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KING, Judge:

By Order issued October 21, 2008, this court ADOPTED the Findings and Recommendation of Magistrate Stewart. Based on the record, IT IS ORDERED AND ADJUDGED that the decision of the Commissioner is REVERSED and REMANDED for calculation and an award of benefits.

Dated this 21st day of October, 2008.

/s/ Garr M. King  
Garr M. King  
United States District Judge